

UNITED STATES BANKRUPTCY COURT

FOR THE

**EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In the Matter of:

CHANTHAVY RATTANA

Debtor

Chapter 13

Case No. 19-11026-BFK

**MOTION TO DISMISS,
NOTICE OF MOTION TO DISMISS
AND
NOTICE OF SCHEDULED HEARING ON THIS MOTION**

Thomas P. Gorman, Chapter 13 Trustee, has filed this motion to dismiss your Chapter 13 case. The cause for this motion is as follows:

Pursuant to 11 U.S.C. §1307(c)(6) - Material default by Debtor as is reflected in the attached Trustee's Report of Receipts and Disbursements. Debtor has not made a Plan payment since March, 2020.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not wish the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then on or before five business days prior to the hearing date, you or your attorney must:

File with the court a written response with supporting memorandum as required by Local Bankruptcy Rule 9013-1(H). Unless a written response and supporting memorandum are filed and served by the date specified, the Court may deem any opposition waived, treat the motion as conceded, and issue an order granting the requested relief without further notice or hearing. If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before five business days prior to the scheduled hearing. You must mail a copy to the persons listed below.

Attend the hearing to be held on October 8, 2020 at 1:30 p.m. in Courtroom #1 on the 2nd floor, United States Bankruptcy Court, 200 South Washington Street,

Notice and Motion to Dismiss

Chanthavy Rattana, Case #19-11026-BFK

Alexandria, VA 22314. If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

A copy of any written response must be mailed to the following persons:

Thomas P. Gorman
300 North Washington Street, Ste. 400
Alexandria, VA 22314

Clerk of the Court
United States Bankruptcy Court
200 South Washington Street
Alexandria, VA 22314

If you or your attorney do not take steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date: __September 3, 2020__

____/s/ Thomas P. Gorman____
Thomas P. Gorman
Chapter 13 Trustee
300 N. Washington Street, #400
Alexandria, VA 22314
(703) 836-2226
VSB 26421

CERTIFICATE OF SERVICE

I hereby certify that I have this 3rd day of September, 2020, served via ECF to authorized users or mailed a true copy of the foregoing Motion to Dismiss, Notice of Motion and Notice of Hearing to the following parties.

Chanthavy Rattana
Chapter 13 Debtor
199 Old Centreville Rd.
Manassas, VA 20111

Jeremy Calvin Huang , Esquire
Attorney for Debtor
Chadwick Washington
3201 Jermantown Rd., Suite 600
Fairfax, VA 22030

____/s/ Thomas P. Gorman____
Thomas P. Gorman

INTERIM STATEMENT AS OF 09/03/2020

CASE NO: 19-11026-BFK

STATUS: ACTIVE

DEBTOR: XXX-XX-5785

RATTANA, CHANTHAVY

AKA:

SCHEDULE: 900.17 MONTHLY

TOTAL PAID: 6,969.43

DATE FILED: 03/31/2019 199 OLD CENTREVILLE RD.

CONFIRMED: 12/03/2019 MANASSAS, VA 20111

LATEST 341: 07/09/2019

PERCENTAGE: 100.000

ATTORNEY: JEREMY CALVIN HUANG, ESQUIRE

PLAN: 63 MONTHS

CHADWICK WASHINGTON

3201 JERMANTOWN RD., SUITE 600

FAIRFAX, VA 22030

Phone: 703 352-1900 Fax: 703 352-5293

1st PAYMENT DUE: 07/2019

ON SCHEDULE: 9,410.07

ACTUAL PAYMENTS: 6,969.43

AMOUNT BEHIND: 2,440.64

LAST 12 TRANSACTIONS

Date	Source	Amount
03/05/20	THIPON SAVANH, INC	900.17
02/03/20	THIPON SAVANH, INC	900.17
12/31/19	THIPON SAVANH, INC	900.17
12/03/19	THIPON SAVANH, INC	900.17
11/04/19	THIPON SAVANH, INC	900.17
10/02/19	THIPON SAVANH, INC	900.17
09/04/19	THIPON SAVANH, INC	900.17
07/26/19	THIPON SAVANH, INC	668.24

DIRECT PAY

CLAIM	CRED NO	CREDITOR NAME	DISB CODE	CLASS	ARREARS	FIXED PAYMENT	SCHED AMOUNT	PAID BY TRUSTEE	BALANCE DUE	CLAIM STATUS
009	344854	TIMEPAYMENT CORPORATION LLC	PRO	UNS	0.00	0.00	0.00	0.00	0.00	DIRECT

PLAN AND FILED CLAIMS

CLAIM NO	CRED NO	CREDITOR NAME	DISB CODE	CLASS	INT. BEGIN	FIX PAY	ORG. CLAIM	APPROVED	PRIN. PAID	PRIN. DUE
		CLAIM REMARK	LAST DISB	PAY%	INT. RATE	ARREARS	SCHED AMT	TO BE PAID	INT. PAID	INT. DUE
001	348799	WELLS FARGO BANK, N.A. CLAIM AMENDED TO ZERO	PRO	SEC		0.00	103,555.58	0.00	0.00	0.00
				100.00		0.00	0.00	0.00	0.00	0.00
002	350355	RUSHMORE LOAN MANGEMENT SERVIC ALLOW & PAY PER FILED CLAIM	FIX	SEC		25.00	492.12	492.12	225.00	267.12
			03/2020	100.00		125.00	0.00	492.12	0.00	0.00
003	339784	BANK OF AMERICA, N.A.	PRO	UNS		0.00	13,948.04	13,948.04	1,823.52	12,124.52
			03/2020	100.00		0.00	13,637.00	13,948.04	0.00	0.00
004	349793	CAPITAL ONE BANK USA, N.A.	PRO	UNS		0.00	9,228.66	9,228.66	1,206.54	8,022.12
			03/2020	100.00		0.00	9,027.00	9,228.66	0.00	0.00
005	349793	CAPITAL ONE BANK USA, N.A.	PRO	UNS		0.00	9,064.04	9,064.04	1,185.01	7,879.03
			03/2020	100.00		0.00	8,859.00	9,064.04	0.00	0.00
006	313486	DISCOVER BANK	PRO	UNS		0.00	3,308.02	3,308.02	432.49	2,875.53
			03/2020	100.00		0.00	3,271.00	3,308.02	0.00	0.00
007	318644	SIMM ASSOCIATES	PRO	UNS		0.00	0.00	0.00	0.00	Not Filed
				100.00		0.00	536.00	0.00	0.00	
008	340379	TRANSWORLD SYSTEMS, INC. UNLISTED - NO RESP TO NOI	PRO	UNS		0.00	539.78	539.78	70.59	469.19
			03/2020	100.00		0.00	0.00	539.78	0.00	0.00
010	349857	CITIBANK, N.A. UNLISTED- COSTCO - NO RESP TO NOI	PRO	UNS		0.00	12,617.60	12,617.60	1,650.19	10,967.41
			03/2020	100.00		0.00	0.00	12,617.60	0.00	0.00

** Creditor has not filed a Proof of Claim. Accumulated funds will be released to other creditors if no claim is filed with the U.S. Bankruptcy Court by the date of the scheduled Chapter 13 Review Meeting.

Claims with an A code in the DISB/CODE column are placed on hold and need to be resolved. NO disbursements are being made to the creditor.

This is a progress report only and should not be used to calculate a payoff.

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	ADMIN	ATTORNEY	PRIORITY	SECURED	UNSECURED	OTHER		
SCHED AMOUNT:	0.00	1,350.00	0.00	0.00	35,330.00	0.00		
CLAIM AMOUNT:	0.00	0.00	0.00	492.12	48,706.14	0.00		
PAID BY TRUSTEE:	0.00	0.00	0.00	225.00	6,368.34	0.00		
PAID BY 3rd PARTY:	0.00	0.00	0.00	0.00	0.00	0.00		
SUB TOTAL:	0.00	0.00	0.00	267.12	42,337.80	0.00	DUE CREDITORS:	42,604.92
INTEREST DUE:	0.00	0.00	0.00	0.00	0.00	0.00	EXPECTED ADMIN:	4,732.77
CONTINUING:	0.00	0.00	0.00	0.00	0.00	0.00	LESS AVAILABLE:	10.00
BALANCE DUE:	0.00	0.00	0.00	267.12	42,337.80	0.00	APPROX BALANCE:	47,327.69

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